

**United States Bankruptcy Court
District of Delaware**

***ATTORNEY TRAINING
CM/ECF Version 3.1***

CM/ECF Version 3.1

Objectives

By the end of this session you will be able to:

- Describe the new statistical requirements in Version 3.1
- Explain the new Bankruptcy and Adversary case opening screens
- Identify changes to the new Official Bankruptcy forms, effective 10/1/06

CM/ECF Version 3.1

- The Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA) of 2005 was signed into law on April 20, 2005.
- Most of the provisions of the Act were effective six months later on October 17, 2005.
- The compiling of additional data in consumer cases became effective 18 months after enactment. Therefore, the requirement for increased statistical reporting becomes effective October 17, 2006.

CM/ECF Version 3.1

CM/ECF Version 3.1 is designed primarily to collect and transmit additional data about bankruptcy filings and adversary proceedings to the Administrative Office's Statistics Division.

CM/ECF Version 3.1

Besides the data required from the BAPCPA, CM/ECF Version 3.1 contains statistical elements from requirements of the Judicial Conference's Committee on the Administration of the Bankruptcy System.

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New Reporting Requirements

- Filing Fees
- in forma pauperis
- Assets
- Amended plans and orders approving plans
- Chapter 11 trustee activity
- Transfer cases
- Appeals
- Rent deposits
- Damages for creditor misconduct
- Debtor attorney sanctions
- Damages under Rule 9011
- Reaffirmation agreements

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Event Specific Data

- Event frequency
- Filed date
- Role of filer
- Dollar amounts
- Order Actions
- Hearing locations

Fifty Contested Matters

- Data not reported until matter is disposed
- Includes all related events, hearings, answers, etc.

New* & Amended Official Forms

- Official Form 1 (Voluntary Petition)
- Exhibit D to Official Form 1*
- Official Form 5 (Involuntary Petition)
- Official Form 6 (Summary of Schedules)
- Official Form 6D (Schedule D)
- Official Form 6E (Schedule E)
- Official Form 6F (Schedule F)
- Official Form 6I (Schedule I)
- Official Form 6J (Schedule J)
- Official Form 6 (Declaration Concerning Debtor's Schedules)
- Official Form 22A (Statement of Current Monthly Income and Means Test Calculation)
- Official Form 22C (Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income)
- Official Form 23 (Debtor's Certification and Completion of Instructional Course Concerning Financial Management)

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BANKRUPTCY CASE OPENING

ECF

Bankruptcy • Adversary • Query • Reports •

Open New Bankruptcy Case

Prior filing within last 8 years

Fee status

Nature of debt

Asset notice

Estimated number of creditors

Estimated assets

Estimated debts

Type of debtor

- ☒ Individual
- ☐ Corporation (includes LLC & LLP)
- ☐ Partnership
- ☐ Other

Nature of business

- ☐ Health Care Business
- ☐ Single Asset Real Estate
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☐ Other
- ☐ Tax-Exempt Entity

Next

Clear

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BANKRUPTCY CASE OPENING

ECF

Bankruptcy • Adversary • Query • Reports •

Open New Bankruptcy Case

Prior filing within last 8 years	<input type="text" value="no"/>
Fee status	<input type="text" value="Paid"/>
Nature of debt	<input type="text"/>
Asset notice	<input type="text" value="No"/>
Estimated number of creditors	<input type="text"/>
Estimated assets	<input type="text"/>
Estimated debts	<input type="text"/>

Next

Clear

Type of debtor

- ☒ Individual
- ☐ Corporation (includes LLC & LLP)
- ☐ Partnership
- ☐ Other

Nature of business

- ☐ Health Care Business
- ☐ Single Asset Real Estate
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☐ Other
- ☐ Tax-Exempt Entity

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BANKRUPTCY CASE OPENING

ECF

Bankruptcy • Adversary • Query • Reports •

Open New Bankruptcy Case

Prior filing within last 8 years	<input type="text" value="no"/>
Fee status	<input type="text" value="Paid"/>
Nature of debt	<input type="text"/>
Asset notice	<input type="text" value="No"/>
Estimated number of creditors	<input type="text"/>
Estimated assets	<input type="text"/>
Estimated debts	<input type="text"/>

Type of debtor

- ☒ Individual
- ☐ Corporation (includes LLC & LLP)
- ☐ Partnership
- ☐ Other

Nature of business

- ☐ Health Care Business
- ☐ Single Asset Real Estate
- ☐ Railroad
- ☐ Stockbroker
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- ☐ Tax-Exempt Entity

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BANKRUPTCY CASE OPENING

ECF

Bankruptcy • Adversary • Query • Reports •

Open New Bankruptcy Case

Prior filing within last 8 years	<input type="text" value="no"/>
Fee status	<input type="text" value="Paid"/>
Nature of debt	<input type="text"/>
Asset notice	<input type="text" value="No"/>
Estimated number of creditors	<input type="text"/>
Estimated assets	<input type="text"/>
Estimated debts	<input type="text"/>

Type of debtor

- ☒ Individual
- ☐ Corporation (includes LLC & LLP)
- ☐ Partnership
- ☐ Other

Nature of business

- ☐ Health Care Business
- ☐ Single Asset Real Estate
- ☐ Railroad
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BANKRUPTCY CASE OPENING

CM/ECF Bankruptcy • Adversary • Query • Reports •

Open New Bankruptcy Case

Prior filing within last 8 years

Fee status

Nature of debt

Asset notice

Estimated number of creditors

Estimated assets

Estimated debts

Type of debtor

- ☒ Individual
- ☐ Corporation (includes LLC & LLP)
- ☐ Partnership
- ☐ Other

Nature of business

- ☐ Health Care Business
- ☐ Single Asset Real Estate
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☐ Other
- ☐ Tax-Exempt Entity

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BANKRUPTCY CASE OPENING – Ch. 11

ECF Bankruptcy • Adversary • Query • Reports • Utilities •

Open New Bankruptcy Case

Small business

☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition

Prior filing within last 8 years

Fee status

Nature of debt

Asset notice

Estimated number of creditors

Estimated assets

Estimated debts

Type of debtor

- ☒ Individual
- ☐ Corporation (includes LLC & LLP)
- ☐ Partnership
- ☐ Other

Nature of business

- ☐ Health Care Business
- ☐ Single Asset Real Estate
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☐ Other
- ☐ Tax-Exempt Entity

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BANKRUPTCY CASE OPENING – Ch. 15

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Open New Bankruptcy Case

Case type bk

Date filed 8/28/2006

Chapter 15 ▼

Joint Petition n ▼

Deficiencies n ▼

Next Clear


Main/Nonmain

Chapter 15 for Recognition of a Foreign Main Proceeding	▼
Chapter 15 for Recognition of a Foreign Main Proceeding	
Chapter 15 for Recognition of a Foreign Nonmain Proceeding	

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

ECFBankruptcy • Adversary • Query • Reports • Utilities • Logout

[Open New Bankruptcy Case](#)

SUMMARY OF SCHEDULES

Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	<input type="text"/>		
B - Personal Property	<input type="text"/>		
D - Creditors Holding Secured Claims		<input type="text"/>	
E - Creditors Holding Unsecured Priority Claims		<input type="text"/>	
F - Creditors Holding Unsecured Nonpriority Claims		<input type="text"/>	
I - Average Income (line 16)			<input type="text"/>
J - Average Expenses (line 18)			<input type="text"/>
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C			<input type="text"/>
Total nondischargeable debt From Form 6, page 2 (28 USC 159)		<input type="text"/>	
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.		<input type="text"/>	

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

Official Form 6 - Summary (10/00)

United States Bankruptcy Court
District Of _____

In re _____
Debtor

Case No. _____

Chapter _____

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property			\$		
B - Personal Property			\$		
C - Property Claimed as Exempt					
D - Creditors Holding Secured Claims				\$	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)				\$	
F - Creditors Holding Unsecured Nonpriority Claims				\$	
G - Recreatory Contracts and Unexpired Leases					
H - Contingent					
I - Current Income of Individual Debtor(s)					\$
J - Current Expenses of Individual Debtor(s)					\$
TOTAL			\$	\$	

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open New Bankruptcy Case

SUMMARY OF SCHEDULES

Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
B - Personal Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
D - Creditors Holding Secured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
E - Creditors Holding Unsecured Priority Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
F - Creditors Holding Unsecured Nonpriority Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
I - Average Income (line 16)	<input type="text"/>	<input type="text"/>	<input type="text"/>
J - Average Expenses (line 18)	<input type="text"/>	<input type="text"/>	<input type="text"/>
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total nondischargeable debt From Form 6, page 2 (28 USC 159)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.	<input type="text"/>	<input type="text"/>	<input type="text"/>

Next Clear

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open New Bankruptcy Case

SUMMARY OF SCHEDULES

Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	<input type="text"/>		
B - Personal Property	<input type="text"/>		
D - Creditors Holding Secured Claims		<input type="text"/>	
E - Creditors Holding Unsecured Priority Claims		<input type="text"/>	
F - Creditors Holding Unsecured Nonpriority Claims		<input type="text"/>	
I - Average Income (line 16)			<input type="text"/>
J - Average Expenses (line 18)			<input type="text"/>
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C			<input type="text"/>
Total nondischargeable debt From Form 6, page 2 (28 USC 159)		<input type="text"/>	
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.		<input type="text"/>	

Next Clear

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open New Bankruptcy Case

SUMMARY OF SCHEDULES

Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	<input type="text"/>		
B - Personal Property	<input type="text"/>		
D - Creditors Holding Secured Claims		<input type="text"/>	
E - Creditors Holding Unsecured Priority Claims		<input type="text"/>	
F - Creditors Holding Unsecured Nonpriority Claims		<input type="text"/>	
I - Average Income (line 16)			<input type="text"/>
J - Average Expenses (line 18)			<input type="text"/>
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C			<input type="text"/>
Total nondischargeable debt From Form 6, page 2 (28 USC 159)		<input type="text"/>	
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.		<input type="text"/>	

Next Clear

CM/ECF Version 3.1

BANKRUPTCY CASE OPENING

STATISTICAL SUMMARY OF LIABILITIES

Official Form 6 - Statistical Summary (1006)

United States Bankruptcy Court
District Of _____

In re _____
Debtor

Case No. _____

Chapter _____

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(b) of the Bankruptcy Code (11 U.S.C. § 101(b)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) (whether disputed or undisputed)	\$
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)	\$
Student Loan Obligations (from Schedule F)	\$
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$
TOTAL	\$

State the following:

Average Income (from Schedule I, Line 16)	\$
Average Expenses (from Schedule I, Line 18)	\$
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	\$

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	\$
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	\$
4. Total from Schedule F	\$
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	\$

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

- If the information is not available at case opening, each item can be docketed separately after the case is open.
- You will be prompted to enter information from the schedule(s), amended schedule(s), or the summary of schedules upon filing.

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

- The Summary of Schedules event:
 - Will display the new summary of schedules screen.
 - Will display values previously entered at case opening.
 - Allow you to add or change dollar amounts.
- Entering data on the Summary of Schedules screen has the same effect as docketing the event separately.

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BANKRUPTCY CASE OPENING

SUMMARY OF SCHEDULES

CAUTION!

- The amount entered will **OVERWRITE** any previous value. It will not add the new amount to the previous value.

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ADVERSARY CASE OPENING

NEW NATURE OF SUIT CODES

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Open Adversary Case

Party code	3 U.S. not a Party	Primary nature of suit	none
Rule 23 (class action)	n	Second nature of suit	none
Jury demand	None	Third nature of suit	none
Demand (\$000)		Fourth nature of suit	none
State law	n	Fifth nature of suit	none

Next Clear

CM/ECF Version 3.1

ADVERSARY CASE OPENING

NEW NATURE OF SUIT CODES

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Open Adversary Case

Party code 3 U.S. not a Party

Rule 23 (class action) n

Jury demand None

Demand (\$000)

State law n

Next Clear

Primary nature of suit

none

none

01 (Determination of removed claim or cause)

02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))

11 (Recovery of money/property - 542 turnover of property)

12 (Recovery of money/property - 547 preference)

13 (Recovery of money/property - 548 fraudulent transfer)

14 (Recovery of money/property - other)

21 (Validity, priority or extent of lien or other interest in property)

31 (Approval of sale of property of estate and of a co-owner - 363(h))

41 (Objection / revocation of discharge - 727(c),(d),(e))

51 (Revocation of confirmation)

61 (Dischargeability - 523(a)(5), domestic support)

62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)

63 (Dischargeability - 523(a)(8), student loan)

64 (Dischargeability - 523(a)(15), divorce/sep property settlement/decrees)

65 (Dischargeability - other)

66 (Dischargeability - 523(a)(1),(14),(14A) priority tax claims)

67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)

68 (Dischargeability - 523(a)(6), willful and malicious injury)

71 (Injunctive relief - reinstatement of stay)

72 (Injunctive relief - other)

81 (Subordination of claim or interest)

91 (Declaratory judgment)

A1 (Transfer of venue [Rule 7087])

SS (SIPA Case - 15 U.S.C. 78aaa et seq.)

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ADVERSARY CASE OPENING

MULTIPLE NATURES OF SUIT

Σ ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Open Adversary Case

Party code	3 U.S. not a Party	Primary nature of suit	41 (Objection / revocation of discharge - 727(c),(d),(e))
Rule 23 (class action)	n	Second nature of suit	01 (Determination of removed claim or cause)
Jury demand	None	Third nature of suit	none
Demand (\$000)		Fourth nature of suit	none
State law	n	Fifth nature of suit	none

Next Clear

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ADVERSARY CASE OPENING

ROLE IN BANKRUPTCY CASE

ECF Bankruptcy • Adversary • Query • Reports •

Plaintiff Information

Laurie Brantley SSN:xxx-xx-1234

Office Address 1 7551 Shalimar

Address 2 Unit 4-B Address 3

City Alamo Heights State TX Zip 78209

County Bexar Country

Phone 210-555-1234 Fax

E-mail

Party text

Role in Bankruptcy Case

Attorney... Alias...

Submit Cancel Clear

Creditor
Debtor
Other/Not Applicable
Trustee
U.S. Trustee/Bankruptcy Administrator

and all attorneys, aliases and corporate parents
before clicking the Submit button.

Court Information

ECF Bankruptcy • Adversary • Query •

Utilities

[Internet Payments Due](#)

Your Account

- [Change Your PACER Account](#)
- [Maintain Your ECF Account](#)
- [Internet Payment History](#)
- [Review Billing History](#)
- [View PACER Account Information](#)
- [View Your Transaction Log](#)

Miscellaneous (cont.)

- [Docket Cash Register Receipts](#)


New R3.1 Menu Items

- [Court Information](#)

Court Information

ECF		Bankruptcy • Adversary • Query • Reports • Utilities
Court Information		
Court Details		
Court's Name	District of Delaware	
Software Version	CM/ECF-BK V3.1.1	
ECF Go Live Date	07/27/2001	
Maximum PDF File Size (MB)	4 MB	
Court Locations		
Court's Name	District of Delaware	
Court's Address	824 North Market Street, 3rd Floor, Wilmington, DE 19801	
Court's Phone Number	302-252-2900	
Court's Email Address	helpdeskde@deb.uscourts.gov	
Court's Hours	8am - 4pm	
PACER Details		
PACER Address	PACER Service Center, PO Box 780549, San Antonio TX 78278-0549	
PACER Phone Number	800-676-6856	
PACER Email Address	pacer@psc.uscourts.gov	

Court Information

<div>  <div> Bankruptcy • Adversary • Query • Reports • Utilities </div> </div>	
Flag Definitions	
Code	Translation
707(b)	Presumption of Abuse under 707(b)
727OBJ	Objection to the Discharge of the Debtor
ANSDue	Answer Due
APPEAL	APPEAL
AUDIT-NOCLOSE	AUDIT-NOCLOSE
BRIEFDue	Brief Due
CLAIMS	Claims have been docketed to this case
CLMSAGNT	Claims Agent Assigned to Case
CLOSED	Case Closed
CONFIRMED	Plan Confirmed
CONS	Consolidated Case
CONVERTED	Case Converted
CounDue	Creditor Counseling certification has not been filed
CredAdd	Add the new address for this creditor to the creditor list
DEFER	Fee Deferred
DEFJUD	Default Judgment
DEFJUDDue	Default Judgment Due
DISCDue	Discovery/Disclosures Due

Notice of Electronic Filing (NEF)

- Previously, any recipient of an NEF was allowed one view of referenced documents without incurring PACER charges.
- Now, only participants in the (parties and attorneys) are given a “free look” while others will be billed.

Questions?

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Kelly Myhasuk, Training Coordinator

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302-252-2891